

3 February 1955

MEMORANDUM FOR: Mr. Houston

SUBJECT: Section 10 of Public Law 110

1. I have read with interest your memorandum for the record concerning your conversation with [] about the Overseas Allowances Act of 1955.

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2. In addition to the Wisconsin case I mentioned to you last month, there appears to be some evidence, although slight, of legislative intent that the Agency should not be exempt from the provisions of future laws.

3. [] in discussing the bill which later became P.L. 110 said:

"Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services." (Emphasis supplied)

4. There is of course a question as to whether the word "existing" means existing at the time of the enactment of P.L. 110 or at the time any given expenditure is made. However, I believe the former interpretation more reasonable.

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[]
Assistant General Counsel

OGC/JFEM:afb

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